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3 - 13 - 07

Date

Joanne Bourguignon

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Eric P. Gibbs et al.
Application No. : 09/975,749
Filed : October 10, 2001
For : SYSTEM AND METHOD FOR DATA TRANSFER
OPTIMIZTION IN A PORTABLE AUDIO DEVICE

Examiner : Daniel R. Sellers
Art Unit : 2644
Docket No. : 35073.002
Date : March 13, 2007

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Commissioner for Patents
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Alexandria, VA 22313-1450

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE
BOARD OF PATENT APPEALS AND INTERFERENCES

Sir:

Applicants hereby appeal to the Board of Patent Appeals and Interferences the decision of the Examiner dated December 13, 2006 rejecting claims 28-37.

The Commissioner is hereby authorized to charge the Notice of Appeal fee of \$250 in conjunction with this communication to Deposit Account No. 50-2976.

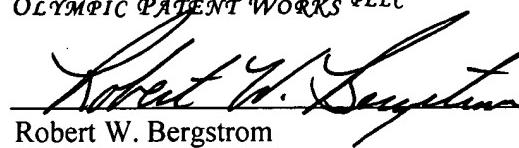
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The Commissioner is hereby authorized to charge any fees in conjunction with this communication or to credit any overpayment to Deposit Account No. 50-2976. This notice is being submitted in duplicate.

Respectfully submitted,

Eric P. Gibbs et al.

OLYMPIC PATENT WORKS PLLC



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Enclosures:

Postcard

Copy of this Notice/Petition

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